

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

SONJA R. GRIFFIN-ROBINSON,

Plaintiff,

-against-

ANTHONY SALOU, *et al.*,

Defendants.

20cv02712 (PAE) (DF)

ORDER OF SERVICE

DEBRA FREEMAN, United States Magistrate Judge:

Currently before this Court in the above-captioned action is a request by *pro se* plaintiff Sonja R. Griffin-Robison (“Plaintiff”), for assistance in effecting service of process on four of the named Defendants in case – specifically Sergeant Darwin Marrero, Police Officer Marilyn Peralta, Police Office Jacquelynn Opirhory, and Police Officer Richard DiDonato. (*See* Dkt. 33; *see also* Dkt. 31.) As Plaintiff has been granted permission to proceed in this action *in forma pauperis*, she is entitled to rely on the Court and the U.S. Marshals Service to effect service. *See Walker v. Schult*, 717 F.3d. 119, 123 (2d Cir. 2013); 28 U.S.C. § 1915(d); Fed. R. Civ. P. 4(c)(3). Here, the Marshals Service previously attempted to serve each of the Defendants with process, but service could not be effected on the four identified individuals (*see* Dkts. 24, 25, 26, 29), apparently because they could not be located at the addresses that had previously been provided.

Rule 4(m) of the Federal Rules of Civil Procedure generally requires service of the summons and complaint to be completed within 90 days of the date the summons issues, and it is Plaintiff’s responsibility to request, if necessary, an extension of time for service. *Meilleur v. Strong*, 682 F.3d 56, 63 (2d Cir. 2012). In this instance, this Court finds that Plaintiff has acted with diligence to follow-up on service issues and to request additional time. (*See* Dkts. 30, 33.)

Further, counsel for the City of New York has now provided new addresses for each of the four defendants who still need to be served, so that the Marshals Service should now be able to effect service. (*See* Dkt. 31.)

To allow Plaintiff to effect service on defendants Marrero, Peralta, Opirhory, and DiDonato through the Marshals Service, the Clerk of Court is instructed to fill out a new U.S. Marshals Service Process Receipt and Return form (“USM-285 form”) for each of these defendants, with the addresses that have now been provided to the Court. The Clerk of Court is further instructed to issue a summons and deliver to the Marshals Service all of the paperwork necessary for the Marshals Service to effect service upon these particular defendants.

Dated: February 8, 2021
New York, New York

SO ORDERED



DEBRA FREEMAN
United States Magistrate Judge

Copies to

Plaintiff (via ECF)

All counsel (via ECF)

DEFENDANTS TO BE SERVED, AND SERVICE ADDRESSES

1. Sergeant Darwin Marrero:
25th Precinct
120 East 119th Street
New York, NY 10035
2. Police Officer Marilyn Peralta
20th Precinct
120 West 82nd Street
New York, NY 10024
3. Police Officer Jacquelynn Opirhory
Candidate Assessment Division
235 East 20th Street
New York, NY 10003
4. Police Officer Richard DiDonato
Police Laboratory, Firearms Analysis Section
150-14 Jamaica Avenue
Jamaica, NY 11432